

AF/GP1725
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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1725
Docket No.: 725.1150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Toshiyuki GENDOH, et al.

Serial No. 10/018,931

Group Art Unit: 1725

Confirmation No. 8193

Filed: December 26, 2001

Examiner: Tran, Len

For: METHOD OF PROCESSING METAL MEMBERS

AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: **BOX AF**

Sir:

This is in response to the Office Action mailed April 5, 2004, and having a period for response set to expire on July 5, 2004.

Reconsideration of the claims is respectfully requested. The following remarks are respectfully submitted.

Entry of this Rule 116 response is requested because the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed.



S&H Form: (10/03)

**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No.	725.1150
Application Number	10/018,931
Filing Date	December 26, 2001
First Named Inventor	Toshiyuki GENDOH, et al.
Group Art Unit	1725

AMOUNT ENCLOSED

Examiner Name Tran, Len

FEE CALCULATION (fees effective 10/01/03)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	10	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	3	- 3 =	0	X \$ 86.00 =	0.00

Since an Official Action set an original due date of July 5, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4 months (\$1,480); 5 months (\$2,010)):

If Notice of Appeal is enclosed, add (\$330.00)

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)

Information Disclosure Statement (Rule 1.17(p)) (\$180.00)

*Total of above Calculations = \$ 0.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

TOTAL FEES DUE = \$ 0.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

- ☐ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☒ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No.

19-3935

Deposit Account Name

STAAS & HALSEY LLP

- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name Michael J. Badagliacca

Reg. No. 39,099

Signature

Date

7-6-04

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